REMARKS

In view of the following remarks, reconsideration and allowance of this patent application is earnestly solicited. Claims 1, 2 and 8-11 stand rejected and are pending in this application. Claim 3-7 have been withdrawn from consideration. No new matter has been introduced.

In the Office Action, the Examiner rejected independent claim 1 and dependent claims 2 and 9-11 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,273,308 ("Griffiths") in view of U.S. Publication No. 2005/0146098 ("Green"). Applicants respectfully traverse the foregoing claim rejections for the reasons set forth hereinafter.

As set forth in detail in the present patent application, Applicants' invention is directed to embodiments of a valve device for a vehicle air-suspension system. The valve device has a manually actuatable air-admission valve for admission of air to air-suspension bellows, a manually actuatable vent valve for venting the air-suspension bellows and a first electrically actuatable valve. The air-admission valve, the vent valve and the first electrically actuatable valve are disposed in a common housing. In order to provide a valve device that can be used simply and inexpensively both in a level-regulating device containing an air-suspension valve and in an electronically controlled level-regulating device, a second electrically actuatable valve is also disposed in the housing.

Griffiths describes embodiments of an air suspension system having height control valves connected to air springs and pneumatically connected to a pressure air supply. The system also includes a selector valve for manually overriding or bypassing the height control valves. The selector valve is connected via a second valve to the air springs. The second valve is also connected to the height control valves and has first and second operating conditions,

whereby, under the first operating condition, the air springs are inflated/deflated via the height control valves, and, under the second operating condition, the air springs are inflated/deflated via the selector valve. The selector valve automatically reverts to normal condition so that the vehicle automatically returns to its normal ride height at the next service brake application.

With specific reference to Fig. 5, the Examiner contends that Griffiths discloses the manually actuatable air-admission valve and vent valve (valves 6 and 7) as well as the first and second actuatable valves (valves 65 and 66) claimed in the present patent application. The Examiner acknowledges that valves 6 and 7 are not electrically actuatable valves. Like valves 65 and 66, valves 6 and 7 are actuated pneumatically. The Examiner further acknowledges that Griffiths does not disclose that the valves are disposed within a common housing.

The Examiner relies upon Green to allegedly cure the severe deficiencies of Griffiths. Respectfully, such reliance is misplaces for the reasons set forth below.

Green describes embodiments of an integrated control unit for an active vehicle roll control system. The Examiner cites to Green particularly for its general disclosure of vehicle suspension system valves disposed within a housing (ECU housing 13) as well as the general use of electrically actuated valves (solenoid valves 70, 72, 76 and 78). Applicants respectfully submit that one of ordinary skill in the art would not be inclined to substitute nor recognize the benefit of substituting the solenoid valves taught by Green into the system of Griffiths because the system of Griffiths relies solely on the use of pneumatic valves. As the Examiner noted, in order to control valves 70, 72, 76 and 78, the system of Green requires an electronic control unit (12), which is lacking in the system of Griffiths. Without an electronic control unit already in place, one of ordinary skill would not be inclined to substitute electrical valves into a system

based primarily on pneumatic valves merely on the premise that electrical valves are generally known in the art.

By taking in hindsight knowledge of the claimed invention and attributing elements thereof to Griffiths and Green to fashion claim rejections under 35 U.S.C. §103(a) when the cited art does not contain or support that knowledge, it is respectfully submitted that the Examiner is impermissibly using the claimed invention as a blueprint for its own reconstruction. The invention must be viewed not after the blueprint has been drawn by the inventor, but as it would have been perceived in the state of the art that existed at the time the invention was made. See e.g., *Interconnect Planning Corp. v. Feil*, 227 U.S.P.Q. 543, 547 (Fed. Cir. 1985), *W.L. Gore & Assoc. v. Garlock, Inc.*, 220 U.S.P.Q. 303, 312-13 (Fed. Cir. 1983).

For the foregoing reasons, it is respectfully submitted that one of ordinary skill in the art who reads and understands Griffiths and Green would not be inclined, let alone equipped, to arrive at the present invention as claimed in independent claim 1. Claim 1 of the present application recites features and structure nowhere found in Griffiths and Green, and, thus, these references, whether taken alone or in combination, cannot yield, teach or suggest the present claimed invention. Notice to this effect is respectfully requested

It is further submitted that claims 2 and 9-11, which depend from independent claim 1, are allowable for the same reasons articulated above as well as for the additional features and structure recited therein. Notice to this effect is also respectfully requested.

The Examiner rejected dependent claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Griffiths in view of Green, and further in view of U.S. Publication No. 2003/0139861 ("Cayzeele") and U.S. Patent No. 6,036,179 ("Rensel"). Applicants respectfully traverse the foregoing claim rejection for the reasons set forth hereinafter.

Applicants respectfully submit that claim 8, which depends from independent claim 1, is allowable for the same reasons articulated above as well as for the additional features and structure recited therein. Notice to this effect is respectfully requested.

In addition, neither Cayzeele nor Rensel cure the severe deficiencies of Griffiths as discussed above. Cayzeele describes embodiments of a method and device for automatic ride height control for a vehicle that limits speed in order to reduce stress on activating members. The Examiner relies upon Cayzeele primarily for its disclosure of a displacement sensor (position sensors 9, 10) for sensing the distance from a suspension system to the road. Rensel describes embodiments of an air spring having a monitoring device for sensing the condition of the air spring and/or a tire. The Examiner relies upon Rensel primarily for its disclosure of a contactlessly operable sensing unit (height sensor 48).

Unlike the present invention, Cayzeele and Rensel do not disclose a valve device for a vehicle air suspension system which comprises manually actuatable valves and electrically actuatable valves disposed in a common housing. Accordingly, claim 8 of the present application recites features and structures nowhere found in the Griffiths, Cayzeele and Rensel references, and, thus, these references, alone or in combination, cannot yield, teach or suggest the present claimed invention.

On the basis of the foregoing remarks, Applicants respectfully submit that this application is in condition for immediate allowance, and notice to this effect is respectfully requested. The Examiner is invited to contact Applicants' undersigned attorneys at the telephone number set forth below if it will advance the prosecution of this case.

No fee is believed due with this Reply. Please charge any fee deficiency to Deposit Account No. 50-0540.

Respectfully submitted,

Randy Lipsitz, Esq.
Registration No. 29,189
Richard L. Moss, Esq.
Registration No. 39,782
Leslie K. Nguyen, Esq.
Registration No. 49,081
Attorneys for Applicants
KRAMER LEVIN NAFTALIS & FRANKEL LLP
1177 Avenue of the Americas
New York, New York 10036
(212) 715-9100